

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
8/8/8

-----X
UNITED STATES OF AMERICA :

- v. - :

ELVIS CARELA,
a/k/a "Omar,"
a/k/a "M-60," :

Defendant. :

INFORMATION

S1 08 Cr. 78 (HB)

-----X
COUNT ONE

The United States Attorney charges:

1. From at least in or about 2002, up to and including on or about January 31, 2008, in the Southern District of New York and elsewhere, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, together with others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, CARELA, agreed with others known and unknown, to commit robberies and attempted robberies of persons engaged in narcotics trafficking and/or commercial activities that affected interstate commerce.

(Title 18, United States Code, Section 1951.)

COUNTS TWO THROUGH SEVEN

The United States Attorney further charges:

2. On or about the dates set forth below, in the Southern District of New York, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, and others known and unknown, unlawfully, willfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, CARELA, the defendant, and others known and unknown, committed the following robberies and attempted robberies of persons engaged in narcotics trafficking and/or commercial activities that affected interstate commerce:

COUNT	APPROXIMATE DATE	GENERAL LOCATION	ITEM(S) SOUGHT
TWO	December 2005	Bronx, NY	Gambling proceeds
THREE	Summer 2004	190 Davidson Avenue, Bronx, NY	Narcotics proceeds
FOUR	Summer 2006	113 Broadway/Lenox Avenue, NY, NY	Narcotics
FIVE	October 2006	Andrews Street, Bronx, NY	Narcotics
SIX	October 7, 2006	Bronx, NY	Proceeds from a business
SEVEN	June 2007	Bronx, New York	Narcotics and narcotics proceeds

(Title 18, United States Code, Sections 1951 and 2.)

COUNT EIGHT

The United States Attorney further charges:

3. In or about June 2007, in the Southern District of New York, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, unlawfully, willfully, and knowingly, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery charged in Count Seven of this Information, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, to wit, an .80 caliber semi-automatic pistol, which was brandished during the robbery charged in Count Seven.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

COUNT NINE

The United States Attorney further charges:

4. On or about October 7, 2006, in the Southern District of New York, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, unlawfully, willfully, and knowingly, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery charged in Count Six of this Information, did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, to wit, at least two semi-automatic pistols, which were brandished during the robbery charged in Count Six.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii),
924(c)(1)(C)(i), and 2.)

COUNT TEN

The United States Attorney further charges:

5. From at least in on or about 2002, up to and including on or about January 31, 2008, in the Southern District of New York and elsewhere, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

6. It was a part and an object of the conspiracy that ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B).

7. It was a further part and an object of the conspiracy that ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

8. It was a further part and an object of the conspiracy that ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

9. As the result of committing the robbery offenses in violation of Title 18, United States Code, Section 1951, alleged in Counts One through Seven of this Information, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offense.

10. As a result of committing one or more of the controlled substance offenses alleged in Count Ten of this Information, ELVIS CARELA, a/k/a "Omar," a/k/a "M-60," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used

or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count Nine of this Information, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offense.


Substitute Assets Provision

11. If any of the forfeitable property described in paragraphs 10 and 11 of this Information, as a result of any act or omission of the defendant(s):

- (1) cannot be located upon the exercise of due diligence;
 - (2) has been transferred or sold to, or deposited with, a third person;
 - (3) has been placed beyond the jurisdiction of the Court;
 - (4) has been substantially diminished in value;
- or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461,
Title 18, United States Code, Section 1951, and
Title 21, United States Code, Sections 841(a)(1) and 853.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ELVIS CARELA,
a/k/a "Omar,"
a/k/a "M-60,"

Defendant.

INFORMATION

S1 08 Cr. 78 (HB)

(18 U.S.C. §§ 2, 924(c), 1951, 21 U.S.C.
§§ 812, 841(a)(1) and 841(b)(1)(A).)

MICHAEL J. GARCIA
United States Attorney.
